

Date of decision: 17-4-1996

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

Coram: S.K. KESHOTE, J
(17-4-1996)

ORAL JUDGMENT:

None present for the petitioner.
Ms. Sejal Mandavia for the respondents.

The prayers made by the petitioner in the writ petition are very vague, and it is difficult to make out what the petitioner intends to get. Be that as it may.

2. I have gone through the contents of the writ petition. I find that the petitioner in substance made two-fold claims in this petition. The first claim pertains to encashment of half pay leave and the second claim relates to payment of amount of group insurance deducted from his salary.

3. Ms. Sejal Mandavia, Learned counsel for the respondents, made statement that the petitioner has already been paid the amount of group insurance deducted from his salary. In view of this statement made by learned counsel for the respondents, one grievance of the petitioner does not survive. So far as the other grievance of the petitioner is concerned, Ms. Sejal Mandavia makes statement that the petitioner was entitled to get Rs.11,039/- as the amount of half pay leave salary, but that amount has been adjusted against the recovery of the amount of Rs.11,446.55 against him. As the amount which was to be recovered from him was more than the amount of half pay leave salary payable to him, no amount was required to be paid to him. From the aforesaid statement it is clear that the amount of half pay leave salary has also been paid to the petitioner and therefore this grievance also does not survive.

4. In the result the writ petition fails and the same is dismissed. Rule discharged.